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August 26, 2016

VIA EMAIL AND CM-RRR # 7014 2870 0000 5153 5084

Helen Davis Chaitman (hchaitman@chaitmanllp.com)
Chaitman, LLP
465 Park Avenue
New York, New York 10022

VIA EMAIL ONLY

Jennifer Allim (jallim@chaitmanllp.com)

Re: Adv. Pro. No. 10-04818 (SMB); *Irving H. Picard, Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC v. Toby Harwood*; In the United States Bankruptcy Court for the Southern District of New York.

Dear Counsel:

Enclosed please find a Notice of Deposition of Ms. Harwood, in the above referenced adversary proceeding. We previously requested dates for deposition on June 29, 2016, and followed up on July 29, August 2 and August 18, 2016. As we have not yet received dates, we have noticed the deposition to occur at the offices of Baker Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111, on Thursday, October 20, 2016. If Ms. Harwood is not available on this date, please provide an alternate date on which she is available and I will re-notice the deposition for that date. Otherwise, we will proceed on the date as noticed. Please produce the documents identified in Defendant's June 1, 2016 responses to written discovery at least fourteen days in advance of the deposition.

If you have questions, please feel free to contact me or my colleagues, Marie Carlisle or Rachel M. Smith at (713) 751-1600.

Sincerely,



Dean D. Hunt
Of Baker & Hostetler, LLP

Enclosures

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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

TOBY HARWOOD,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04818 (SMB)

NOTICE OF DEPOSITION OF DEFENDANT TOBY HARWOOD

To: Helen Davis Chaitman
Chaitman LLP
465 Park Avenue
New York, NY 10022

PLEASE TAKE NOTICE, that pursuant to Rule 30 of the Federal Rules of Civil Procedure and Rule 7030 of the Federal Rules of Bankruptcy Procedure, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”), under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”) and Bernard L. Madoff (“Madoff”), by and through his counsel Baker & Hostetler LLP, will take the deposition, upon oral examination, of **Toby Harwood** in Adversary Proceeding Number 10-05079, before a notary public or other person authorized to administer oaths on **Thursday, October 20, 2016 at 10:00AM** Eastern Standard Time at the offices of Baker Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111, and subject to videotaping at Trustee’s option.

The deposition will continue from day to day as necessary. You are invited to attend and cross-examine.

Dated: August 26, 2016

Of Counsel:

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/s/ Nicholas J. Cremona


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*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate
of Bernard L. Madoff*

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served this 26th day of
August, 2016 by certified mail and electronic mail upon the following:

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Jennifer Allim
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*Attorneys for Irving H. Picard, Trustee for the
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Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*